IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JULY

TWO THOUSAND AND SIX

:PRESENT:

THE HONOUABLE SRI JUSTICE **GODA RAGHURAM**

WRIT PETITION NO : 9276 of 2005

Between:-

Wahed Khan Quadri Al Multani S/o. Late Chand Khan, OCC : Govt. Servant, Resident of 18-14158, Phisal Banda, Zafargard, Hyderabad.

..... Petitioner

AND

1.A.P. State Wakf Board, rep. by its Chief Executive Officer, having Office at Haj House, Public Garden Road, Nampally, Hyderabad.

2.The Managing Committee of Dargha Hazarath Syed Khaja Hasan Barahne Shah Qibla, rep. by its Secretary, With its office at Darght-e-Sharieef, Phisal Banda, Santoshnagar, Hyderabad.

3.Qadiruddin S/o. Mohiuddin, Occ : Pensioner, R/o. H.No. LCH 49, Kumarwadi Colony, EDI Bazar, Yakutpura, Hyderabad.

4.Faizullah S/o. Mohd. Amanullah, Occ : Pensioner, R/o. H.No. 16-8-899, 45/A, New Malakpet, Hyderabad.

5. Mohd. Arif Siddiqui S/o. Mohd. Mohisin, Occ : Technical Officer in ECIL, R/o. H.No. 18-8-170/1/1, Dargha Barhane Shah Sahab, Near Santoshnagar, Hyderabad.

6. Wali Ahed S/o. Ghouse Mohanned, occ : Pensioner, R/o. H.No. 18-8-175, Dargah Barhane Shah Saheb, Hear Santoshnagar, Hyderabad.

7. Rashiduddin Khan S/o. Sultanuddin Khan, Occ : Asst. Director in ITI, R/o. H.No. 17-1-372/6, Dargha Barhane Shan Saheb, Near Santoshnagar, Hyderabad.

8. Awer Noor Khan S/o. Faiz Noor Khan, Occ : Business, R/o. H.No. 18-8-170/4, Dargha Barhane Shah Saheb, Near Santoshnagar, Hyderabad.

9. Mohd. Fareed S/o. Mohd. Sardar, Occ : Business, R/o. H.No. 17-1-329, Dargha Barhane, Shan Saheb, Near Santoshnagar, Hyderabad –8.

10.Abdul Bari Khan S/o. Abdul Khader Khan, Occ : Technician in GENETIC Department of Osmania University, R/o. H.No. 18-12-147, G.M. Nagar, Phisalbanda, Kanchanbagh, Hyderabad.

11.Hasnuddin Farooqi S/o. Mohd. Salauddin, Occ : Pensioner, R/o. H.No. 18-12-60, G.M. Nagar, Phisalbanda, Kanchanbagh, Hyderabad.

12. Mohd. Hasamthullah S/o. Not Known, R/o. 17-1-375, Hasnabad, Near Santshnagar, Saidabad, Hyderabad.

(RR. 3 to 12 impleaded as per Court order dt. 19-12-2005 in WPMP.No.23464 of 2005).

.....Respondents.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or issue a Writ or direction more in the nature of a Writ or direction more in the nature of Writ of Mandamus or any other appropriate Writ under Article 226 of Constitution of India by calling for the entire records and to suspend the orders passed in F.No.22/Hyd-I/K/98 dt.Nil.03.2005, and direct the respondent No.1 to conduct enquiry by considering the complaints vide annexures No.6 and 7, and in the alternative to take the said institution Viz. Dargha Hazarath Syed Khaja Hasan Barahne Shah Shaib Qibla under its direct management pending enquiry or till new body of managing committee is appointed by the respondents No.1.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and upon hearing the arguments of SRI Vedula Srinivas, Advocate for the Petitioner and of Sri A.M. Qureshi-SC for Wakf Board on behalf of respondent No.1 and of Sri Mohd. Abdur Rafi, Advocate for respondent No.2 and of Sri S. Niranjan Reddy, Advocate for Respondent Nos. 3 to 12 and of.

Contd..2….

The Court made the following

ORDER :-

The first respondent shall ensure that all the records relating to orders passed by it in Proceedings F.No. 22/HYD-I/K/98, dated March 2005 appointing R2 as the Managing Committee of Dargha Haarath Syed Khaja Hasan Barahna Shah Qibla, be produced for the perusal of this Court on 20-07-2006. On failure to produce the records as above the C.E.O. of A.P. State Wakf Board shall be present before this Court on that day. Learned Standing counsel for the Wakf Board taken note of the orders passed by this Court today and undertaken to inform the same to the 1st respondent.

Call on 20-07-2006.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1.The Chief Executive Officer, A.P. State Wakf Board,
having Office at Haj House, Public Garden Road, Nampally, Hyderabad.
(By Special Messenger)

2.The Secretary, Managing Committee of Dargha Hazarath Syed Khaja Hasan Barahne
Shah Qibla, With its office at Darght-e-Sharieef, Phisal Banda,
Santoshnagar, Hyderabad.**(By Special Messenger)**

3.Qadiruddin S/o. Mohiuddin, Occ : Pensioner, R/o. H.No. LCH 49, Kumarwadi Colony, EDI Bazar, Yakutpura, Hyderabad.

4.Faizullah S/o. Mohd. Amanullah, Occ : Pensioner, R/o. H.No. 16-8-899, 45/A, New Malakpet, Hyderabad.

5. Mohd. Arif Siddiqui S/o. Mohd. Mohisin, Occ : Technical Officer in ECIL, R/o. H.No. 18-8-170/1/1, Dargha Barhane Shah Sahab, Near Santoshnagar, Hyderabad.

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9. Mohd. Fareed S/o. Mohd. Sardar, Occ : Business, R/o. H.No. 17-1-329, Dargha Barhane, Shan Saheb, Near Santoshnagar, Hyderabad –8.
10. Abdul Bari Khan S/o. Abdul Khader Khan, Occ : Technician in GENETIC Department of Osmania University, R/o. H.No. 18-12-147, G.M. Nagar, Phisalbanda, Kanchanbagh, Hyderabad.
11. Hasnuddin Farooqi S/o. Mohd. Salauddin, Occ : Pensioner, R/o. H.No. 18-12-60, G.M. Nagar, Phisalbanda, Kanchanbagh, Hyderabad.
12. Mohd. Hasamthullah S/o. Not Known, R/o. 17-1-375, Hasnabad, Near Santshnagar, Saidabad, Hyderabad.
13. One CC to Sri Vedula Srinivas, Advocate(OPUC).
14. Sri A.M. Qureshi, Advocate, High Court of A.P., Hyd **(By Special Messenger)**
15. Sri Mohd. Abdur Rafi, Advocate, High Court of A.P., Hyd **.(By Spl. Messenger)**
16. Sri S. Niranjan Reddy, Advocate, High Court of A.P., Hyd **(By Spl. Messenger)**
17. One spare copy.

TKK

HIGH COURT

GR.J

DT.18-07-2006.

ORDER

W.P.NO. 9276 OF 2006.

D I R E C T I O N.

DRAFTED BY TKK
DT.19-07-2006.

HIGH COURT

GR.J

DT.18-07-2006.

Note :- Call on 20-07-2006.

ORDER

W.P.NO. 9276 OF 2006.

D I R E C T I O N.